

# **Exhibit A**

## **John Shaw**

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**From:** Marc R. Labgold, Ph.D <[mlabgold@labgoldlaw.com](mailto:mlabgold@labgoldlaw.com)>  
**Sent:** Thursday, December 18, 2014 1:44 PM  
**To:** Scott Malzahn  
**Cc:** Marc R. Labgold, Ph.D.; Patrick Hoeffner; Ryan Baker; [purban@pwujlaw.com](mailto:purban@pwujlaw.com); [ewilburnjoyce@pwujlaw.com](mailto:ewilburnjoyce@pwujlaw.com); John Shaw  
**Subject:** Re: Hologram-Crypton Matter

Scott,

I received a bounce-back of my email to you and Ryan so resending. Please confirm receipt.

Marc

On Dec 18, 2014, at 1:34 PM, Marc R. Labgold, Ph.D <[mlabgold@labgoldlaw.com](mailto:mlabgold@labgoldlaw.com)> wrote:

Scott,

Can you please provide your expected timing of responding with respect to the settlement? Given that we have reached agreement on all but one or two points, I am unsure why there would further delay. Please advise.

Suffice it to say I strongly disagree with both your email and your motion. Without addressing the issue in detail and without waiver of any position, your cease and desist letter was sufficiently threatening to cause third parties to consider canceling business with Crypton, requiring a covenant not to sue in order to proceed. The objective evidence demonstrates the existence of a justiciable case or controversy. As such, Crypton will not dismiss its Complaint or waive its right to pursue redress from the harm caused absent a signed release.

I do not understand your unwillingness to agree to an extension given the holidays. I do not see any prejudice to Hologram from an extension. However, if you disagree, please let me know what prejudice you believe would be caused by the requested extension.

Accordingly, I again respectfully request you provide an indication as to your timing vis-à-vis the draft agreement so my client can determine its course of action.

With best regards,

Marc

On Dec 18, 2014, at 12:45 PM, Scott Malzahn <[smaalzahn@bakermarquart.com](mailto:smaalzahn@bakermarquart.com)> wrote:

Marc

We're reviewing the settlement.

We cannot agree to an extension. Crypton served the complaint even though there is no live case or controversy, which forced our client to incur the expense of drafting the motion to dismiss. Your client should simply dismiss the case at this point.

Scott

-----Original Message-----

From: Marc R. Labgold, Ph.D [<mailto:mlabgold@labgoldlaw.com>]  
Sent: Wednesday, December 17, 2014 11:26 AM  
To: Scott Malzahn  
Cc: Marc R. Labgold, Ph.D.; Patrick Hoeffner; Ryan Baker; [purban@pwujlaw.com](mailto:purban@pwujlaw.com); [ewilburnjoyce@pwujlaw.com](mailto:ewilburnjoyce@pwujlaw.com); John Shaw  
Subject: Re: Hologram-Crypton Matter

Dear Scott,

I hope you are doing well. I am writing with respect to two interrelated issues.

First, can you please provide an update on the status of your review of the draft mutual release. Obviously, it is in the best interest of all parties to resolve this matter without further expense and delay. This has a direct impact on the second issue.

Second, Crypton's response to your motion to dismiss is currently due December 29, 2014. Given the holidays, coupled with the fact that hopefully no response will be necessary given that the parties are close to agreement on the mutual release, will you agree to a two week extension of time for Crypton's response?

Please let us know your position so we can plan accordingly.

With best regards,

Marc